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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

## SAN FRANCISCO DIVISION

## SURGICAL INSTRUMENT SERVICE COMPANY, INC.,

*Plaintiff,*

V.

INTUITIVE SURGICAL, INC.,  
*Defendant.*

Case No. 3:21-cv-03496-AMO

**DECLARATION OF DR. JAIME  
WONG IN SUPPORT OF OMNIBUS  
SEALING MOTION IN  
CONNECTION WITH  
DEFENDANT'S TRIAL BRIEF**

The Honorable Araceli Martínez-Olguín

1 I, DR. JAIME WONG, declare as follows:

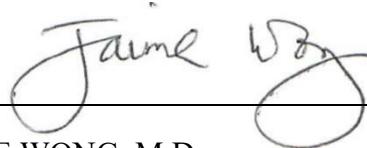
2       1. I am a Senior Vice President and Senior Medical Officer at Intuitive Surgical, Inc.  
 3 (“Intuitive”). I have personal knowledge of the facts set forth herein, and if called to testify, I  
 4 could and would testify competently hereto.

5       2. Certain sensitive and non-public pricing terms appear in Intuitive-01862315–  
 6 Intuitive-0182329. Intuitive does not publicly report this information. Intuitive has also invested  
 7 significant resources in developing its pricing strategy. Disclosure of this confidential pricing  
 8 information would result in unfair harm to Intuitive’s business and harm Intuitive’s competitive  
 9 standing, because it would give other parties insight into Intuitive’s business and allow them to  
 10 use that competitive intelligence to further their own pricing strategies without investing similar  
 11 resources. The specific pricing provisions identified below are particularly sensitive, and their  
 12 disclosure would provide others with information regarding Intuitive’s terms and practices with  
 13 respect to its relationship with a specific customer.

Document	Excerpt
Ex. 1 – Brachman Decl. in support of Intuitive’s Trial Brief	Page Intuitive-01862326, redacted portions Page Intuitive-01862327, redacted portion Page Intuitive-01862328, redacted portion
Sales, License, and Service Agreement dated December 16, 2019, Intuitive-01862315– Intuitive-0182329	

22 I declare under the penalty of perjury under the laws of the United States that the  
 23 foregoing is true and correct.

24 Dated: November 10, 2024

25 By:   
 26 JAIME WONG, M.D.

**FILER'S ATTESTATION**

I, Kenneth A. Gallo, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that the signatory identified above has concurred in this filing.

Dated: November 11, 2024

By: /s/ Kenneth A. Gallo  
Kenneth A. Gallo

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